

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

RICHARD JAMES WELK,

Plaintiff,

v.

CDCR, et al.,

Defendants.

No. 2: 22-cv-00351 KJN P

ORDER AND FINDINGS AND  
RECOMMENDATIONS

By an order filed August 16, 2023, this court ordered plaintiff to complete and return to the court, within thirty days, the USM-285 forms necessary to effect service on defendant Wayne Scott. That thirty day period has since passed, and plaintiff has not responded in any way to the court's order.

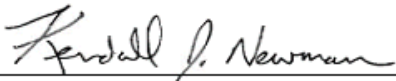
Accordingly, IT IS HEREBY ORDERED that the Clerk of the Court shall appoint a district judge to this action; and

IT IS HEREBY RECOMMENDED that defendant Wayne Scott be dismissed from this action.

These findings and recommendations will be submitted to the United States District Judge assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within fourteen days after being served with these findings and recommendations, plaintiff may file written objections with the court. The document should be captioned "Objections to Findings and

1 Recommendations.” Plaintiff is advised that failure to file objections within the specified time  
2 may waive the right to appeal the District Court’s order. Martinez v. Ylst, 951 F.2d 1153 (9th  
3 Cir. 1991).

4 Dated: September 22, 2023

5   
6 KENDALL J. NEWMAN  
7 UNITED STATES MAGISTRATE JUDGE

8 Welk351.fusm  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28